

**REMARKS**

Claims 1 and 31 have been amended to include the feature of "auditing of improperly implemented promotions" and Claim 21 has been amended to include the feature "wherein the sales controller is configured to audit improperly implemented promotions and send audit reports to the manufacturer" (see specification at paragraphs 29, 38, 43, 50 and 61). New Claims 44-46 have been added. Support for Claim 44 is provided in paragraph 38, support for Claim 45 is provided at least in paragraph 61, and support for Claim 46 is proved at least in paragraph 38 of the specification.

Claims 1-10, 15, 16 and 31-33 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Publication No. 2003/0130883 A1 ("Schroeder"). However, Claims 1 and 31 have been amended to recite that the method includes "auditing of improperly implemented promotions", a feature not disclosed or suggested by Schroeder. As such, it is submitted that Claims 1 and 31 and the claims dependent thereon are patentable over Schroeder.

Claims 21-25 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,933,813 ("Teicher"). However, Claim 21 has been amended to recite that the method includes "auditing of improperly implemented promotions", a feature not disclosed or suggested by Teicher. As such, it is submitted that Claims 1 and 31 and the claims dependent thereon are patentable over Teicher.

Claims 11-14 and 34-39 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Schroeder and further in view of Teicher. Claims 11-14 depend indirectly from Claim 1 and Claims 34-39 depend indirectly from Claim 31.

As explained above, Schroeder fails to suggest the methods recited in Claims 1 and 31 and Teicher fails to suggest a controller configured to audit improperly implemented promotions. As such, the combination of Schroeder and Teicher cannot suggest the subject matter recited in Claims 11-14 and 34-39.

Claims 17-20 and 40-43 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Schroeder and further in view of U.S. Patent No. 6,845,396 ("Kanojia"). Claims 17-20 depend indirectly from Claim 1 and Claims 40-43 depend indirectly from Claim 31. As explained above, Schroeder fails to suggest the methods recited in Claims 1 and 31 and Kanojia is cited only for features of encryption. As such, the combination of Schroeder and Kanojia cannot suggest the subject matter recited in Claims 17-20 and 40-43.

Claims 26-30 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Teicher in view of Kanojia. Claims 26-30 depend directly or indirectly from Claim 21. Teicher fails to suggest a controller configured to audit improperly implemented promotions. Kanojia is cited only for features of encryption. As such, the combination of Teicher and Kanojia cannot suggest the subject matter recited in Claims 26-30.

From the foregoing, further and favorable action in the form of a Notice of Allowance is respectfully requested and such action is earnestly solicited.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully requested to telephone the undersigned so that prosecution of present application may be expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: October 26, 2007

By: \_\_\_\_\_

  
Peter K. Skiff  
Registration No. 31917

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620